

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

**ALEXANDER ACOSTA, Secretary of Labor,
United States Department of Labor,**

Plaintiff,

v.

**1:12-CV-1278
(FJS/TWD)**

**CHAMPAGNE DEMOLITION, LLC, a
limited liability company; and JOSEPH
A. CHAMPAGNE, individually,**

Defendants.

JURY INSTRUCTIONS - PUNITIVE DAMAGES

Now that you have determined that punitive damages are warranted against [Defendant], you must determine the amount of punitive damages to award. In doing so, you should consider the purposes of punitive damages, that is, you should consider the degree to which [Defendant] should be punished for [its/his] wrongful conduct and the degree to which an award of one sum or another will deter [Defendant] or others from committing similar wrongful acts in the future. You must use sound reason in setting this amount. Your award of punitive damages must not reflect bias, prejudice or sympathy toward any party.

Punitive damages must bear a reasonable relationship to Mr. Miles' actual injury. Thus, in determining the appropriate amount of punitive damages to be

awarded, you must consider all of the relevant factors, including (1) the impact or severity of Defendant's conduct, (2) the amount of compensatory damages, and (3) the amount needed to punish, deter, and prevent repetition of the same conduct. You may also consider Defendant's financial circumstances in determining the appropriate amount of punitive damages to be awarded.